

BILL NO. S-85-11-70

SPECIAL ORDINANCE NO. S- 24485

AN ORDINANCE approving Contract for St. Joe Pump Station Elimination, Res. 402-84, by and between the City of Fort Wayne, Indiana and T-G Excavating, Inc., in connection with the Board of Public Works and Safety.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

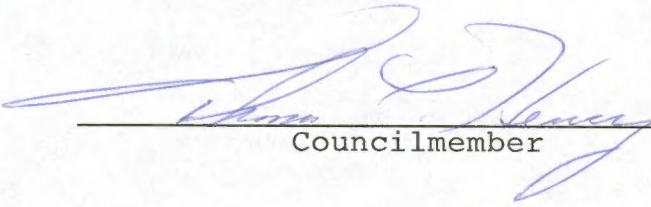
SECTION 1. That Contract for St. Joe Pump Station Elimination, Res. 402-84, by and between the City of Fort Wayne, Indiana and T-G Excavating, Inc., in connection with the Board of Public Works and Safety, for:

the construction of a local sewer beginning at an existing manhole located 55+ L.F. North of and 150+ L.F. East of the centerline intersection of Kendale Drive and Robin Run; thence North at a distance of 275+ L.F. thence Westerly at a distance of 180+ L.F.; thence North-westerly at a distance of 240+ L.F. terminating at an existing manhole located 300+ L.F. North of and 140+ L.F. West of the centerline intersection of Redbird Trail and Bluebird Court. ALSO: Beginning at an existing manhole located 475+ L.F. North of and 100+ L.F. West of the centerline intersection of St. Joe Center Road and St. Joe Road; thence South 260+ L.F. North of and 100+ L.F. West of the centerline intersection of St. Joe Center Road and St. Joe Road. Said sewer shall be 8", 12", and 18" in diameter;

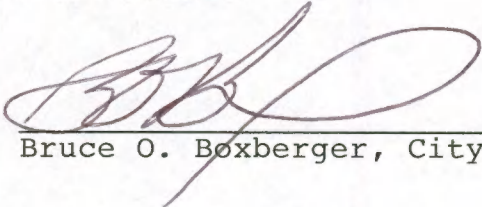
involving a total cost of Ninety-Seven Thousand Nine Hundred Thirty-Seven and 10/100 Dollars (\$97,937.10), all as more particularly set forth in said Contract, which is on file with the Office of the Board of Public Works and Safety and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and are available for public inspection.

1 Page Two

2 SECTION 2. That this Ordinance shall be in full force
3 and effect from and after its passage and any and all necessary
4 approval by the Mayor.

5
6 
7 Councilmember

8 APPROVED AS TO FORM
9 AND LEGALITY

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11 Bruce O. Boxberger, City Attorney
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Read the first time in full and on motion by Henry, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.

DATE: 11-26-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Talarico, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 12-10-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 244-85

on the 10th day of December, 1985

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1985, at the hour of 11:00 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of December, 1985, at the hour of 8:30 o'clock A M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

BOARD OF PUBLIC WORKS and SAFETY
INVITATION FOR BIDS/AWARD OF CONTRACT*
(Non-Federally Assisted Construction)

Page 1 of 1

75-126-23

11/13/85

Subject Road Pump Station Elimination

Contract No. 402-1984

CONTENTS

Resolution No 402-1984

Check if Contained	Pages	
X	1	Cover Sheet
X	A/1 - A/2	Advertisement for Bids
X	I/1 - I/9	Instructions to Bidders
X	S/ 1 - S/2	Schedule
X	SI/1	Schedule of Items
	S/	Notes 1 and 2
X	NCA/1	Non-Collusion Affidavit
X	BB/1	Bidder's Bond
X	FS/1	Certificate in Lieu of Financial State-
		ment Form 96A
X	PB/1-PB/2	Specimen Form-Payment Bond
X	PGB/1-3	Specimen Form-Perfor. & Guaranty Bond
X	GP/1-GP/7	General Provisions
X	WS/1	Prevailing Wage Rates-State of Indiana
X	SP/1-SP/3	Special Project Specifications

ATTACHMENTS

X	1 of 1 / 1 of 4	Project Plans Drawing # SY-11127
		General Specifications and Conditions
		Detail Standard Construction Standards
		WPCE Department, City of Fort Wayne
x	EA/1-EA/4	Escrow Agreement
	RW/1	Right-of-Way Cut Permit
x	NP/1	Notice to Proceed
X	CO/1-CO/2	Change Order - Specimen Form

DISCOUNT for PROMPT PAYMENT (See Gen. Prov)	10 CALENDAR DAYS <u>.5 %</u>	20 CALENDAR DAYS <u>0 %</u>	30 CALENDAR DAYS <u>0 %</u>	OTHER <u>0 %</u>
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ACKNOWLEDGEMENT of AMENDMENTS	Amendment No. 1	Date	Amendment No.	Date

BID SUBMITTED

T-G Excavating, Inc.

Contractor

By: Thomas M. Stockamp
Its President

Offer

Date October 23, 1985

Bidder agrees to keep bid open for accep-
tance for _____ (90 days unless
otherwise specified)

Compliance

O.C.2/85

J. Adams

ACCEPTANCE OF BID/AWARD OF CONTRACT

CITY OF FORT WAYNE

Board of Public Works & Safety

David J. Kester
Lawrence D. Connelley

CITY OF FORT WAYNE

Win Moses, Jr., Mayor

AWARD

Date

Oct. 31 1985

Minority Business Enterprise (MBE) is a business of which at least 51% is owned and controlled by minority group members. ("Minority" means Black, Hispanic, American Indian, Asian, Pacific Islander, and Alaskan Native). The minority owners must exercise actual day-to-day management, as well as actively participate in management and policy decisions affecting the business. The contribution of capital, equipment or expertise made by the minority owners must be real, substantiated and documented.

Women Business Enterprise (WBE) is a business of which at least 51% is owned and controlled by women. The women owners must exercise actual day-to-day management, as well as actively participate in management and policy decisions affecting the business. The contribution of capital, equipment or expertise made by the women owners must be real, substantiated and documented.

The contract for which this proposal/bid is prepared is governed by the MBE/WBE Ordinance. This form must be completed in order to be responsive to this IFB/RFP. If the participation goal of 7% for MBE and 2% for WBE are not met or exceeded in your bid or proposal, the reasons for this failure and reasonableness and good faith of efforts to meet this goal shall be evaluated in determining whether the bidder/offeree is responsible.

A list of possible MBE/WBE contractors/suppliers are on file in the Compliance Office, Room 800, City-County Building, for Contractor review.

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO THE MBE/WBE GOALS OF THE CITY FOR WORK DONE PURSUANT TO THIS CONTRACT:

- A. _____ The undersigned firm certifies that it is an MBE/WBE Contractor (cross out inapplicable provision).

For MBE specify percentage of minority ownership _____%.

For WBE specify percentage of women ownership _____%.

- B. _____ The undersigned certifies that they are a joint venture in which the following (MBE/WBE) firm _____ (cross out inapplicable provision) is a joint venture partner.

The MBE/WBE firm (cross out inapplicable provision) shall have _____% participation (employees) _____% participation (costs) in this project.

Specify the percentage of minority/women ownership in the MBE/WBE firm _____%. (cross out inapplicable provision)

- C. The undersigned commits 4% of the total bid price as a subcontract to minority business enterprise participation. The MBE firms which are proposed as subcontractors are the following:

<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
1. FOWLER TRUCKING	FT. WAYNE	TRUCKING
2.		
3.		

- D. The undersigned commits 2% of the total bid price as a subcontract to women business enterprise participation. The WBE firms which are proposed as subcontractors are the following:

<u>Name of Firm</u>	<u>Address</u>	<u>Type of Work</u>
1. BUZZARD BROS.	FT. WAYNE	TRUCKING
2. TRUCKING		
3.		

- E. Complete (1) and (2) below if participation goals of 7% MBE and 2% WBE have not been met.

1. My Company cannot meet the participation goals for the following reasons:

THE TRUCKING IS THE ONLY PORTION
OF JOB TO BE SUBCONTRACTED
AS A SUPPLIER

2. We have taken the following steps in an attempt to comply with these participation goals:

PROJECT DOES NOT LEND ITSELF
TO A SUBCONTRACTOR

(attach additional sheets as necessary)

Contractor T-G Excavating, Inc. Contractor _____

By Thomas M. Stockamp
Thomas M. Stockamp

By _____

Its _____
President

Its _____

14. Minority/Female Hourly Employment Requirements.

The City's policy is to encourage a greater utilization of minority and/or female employees in City construction projects. The Board has, therefore, adopted a minimum goal of 17% of the total work hours on each project to be expended by minority and/or female employees. ("Minority" shall include: Blacks, Hispanic, Asian, Pacific Islander, American Indian or Alaskan Native.)

The bidder shall state in "A" below the percentage of total work hours which the bidder and his subcontractors will employ and utilize women and minority employees on this project. If a contract is awarded as a result of this bid, the percentage figure set forth in "A" shall become contractually binding on the bidder. The successful bidder will also be required to prepare reports for the City demonstrating compliance with this percentage and will allow city officials access to his records, facilities and work site and to those of his subcontractors to determine compliance.

The bidder must fill in the required blanks in this clause in order to be responsive to this IFB. If the bidder does not meet or exceed the hourly utilization goal of 17% minority/female participation, the reasons for this failure and reasonableness and good faith of efforts to meet this goal shall be evaluated to determine whether the bidder is responsible.

THE FOLLOWING IS THE UNDERSIGNED'S COMMITMENT TO MINORITY/FEMALE HOURLY UTILIZATION.

A. The undersigned firm certifies that it will employ and utilize minorities and females and/or will ensure that its subcontractors employ and utilize minorities and females so that minorities and females will work at least 17% of the total hours worked on this project.

B. Complete (1) and (2) below if the hourly utilization figure set forth in "A" is less than 17%.

1. My Company and its subcontractors cannot meet the 17% minimum hourly utilization figure for the following reasons:

_____.

taken the following steps in an attempt
the 17% hourly utilization figure:

(attach additional sheets if necessary)

Contractor T-G Excavating, Inc.
By Thomas M. Starkamp
Its President

15. Required Prevailing Wage Schedule Payments - Pursuant to Indiana Code 5-16-7-1. All contractors and subcontractors working on the project awarded pursuant to this contract shall pay the prevailing wage rates for skilled, semi-skilled and unskilled laborers, workmen and for mechanics. This wage determination has been made in accordance with the procedures set forth in Indiana Code 5-16-7-1. This determination by any the required wage rates are available for examination by prospective bidder at The Board of Public Works and Safety, 9th Floor, City-County Building, Fort Wayne, Indiana.

a bidder is awarded a contract as a result of this Invitation for Bids, he/she/it shall file a schedule of wages, on forms provided by the City of Fort Wayne, demonstrating compliance with the wage rate determination. The successful prime contractor shall be responsible for obtaining schedules from all subcontractors. All schedules shall be filed before the contractor commences any work on the project.

ties for failure to pay the prevailing wage rate are set in Indiana Code 5-16-7-3.

5. Site Orientation. A site orientation (will/will not) be conducted by the City Engineers. If such an orientation is conducted, it will be held on the ___ day of ___ 19__ at ___ o'clock ___ M. at the site of the project.

Regardless of whether a site orientation is conducted, bidders are required to visit the site of the work, in person, fully of the conditions, under which the work will be performed. The bidders shall be responsible for all conditions that affect the work, including, but not limited to face conditions.

PROJECT NAME: St. Joe Road Pump Station Elimination Resolution 402-1984

DATE

10/23/84 SI/1

EM	DESCRIPTION	UNIT	UNIT PRICE	EXTENSION	
1	18" RC Pipe Class IV*	690± LF	37 ³¹ / ₁₀₀	25,743	90
2	14" DI Pipe Class 52	260± LF	49 ¹⁹ / ₁₀₀	12,789	70
3	8" VIT Clay Pipe (ASTM C-700)	260± LF	23 ⁸³ / ₁₀₀	6195	80
4	6" VIT Clay Pip (Bldg Sewer) (ASTM C-700)	275± LF	11 ²⁴ / ₁₀₀	3091	00
5	Std. 48" Manholes type I-J	6± EA	1297 ⁰⁰ / ₁₀₀	7782	00
6	Std. 8" Cleanout	1± EA	229 ⁰⁰ / ₁₀₀	229	00
7	Std. 6" Cleanout	1± EA	200 ⁰⁰ / ₁₀₀	200	00
8	#53 or #73 Special Backfill (STONE)	250± CY	10 ⁴⁹ / ₁₀₀	2622	50
9	8" Deep Strength Asphalt (7" #9 Binder, 1" A-2 Surface)	150± SY	33 ⁹⁵ / ₁₀₀	5092	50
10	4"-12" Field Tile Replacement	100± LF	14 ⁰⁰ / ₁₀₀	1400	00
11	12" and 15" Pipe Removal and Delivery	250± LF	3 ⁰⁰ / ₁₀₀	750	00
12	48"-13' Concrete MH Removal and Delivery	Lump Sum	200 ⁰⁰ / ₁₀₀	200	00
13	Concrete Encasements	16± CY	145 ⁰⁰ / ₁₀₀	2320	00
14	Gage 8-Sheeting	600± SF	11 ¹⁸ / ₁₀₀	670.8	00
15	Pipe "V" notching and concrete support	Lump Sum	300 ⁰⁰ / ₁₀₀	300	00
16	Shot Rocks (8"-14" Diameter)	350± Tn	11 ¹⁴ / ₁₀₀	3899	00
17	Rip-Rap (6"-8" Diameter)	500± Tn	8 ⁴⁹ / ₁₀₀	4245	00
18	Base Stabilization	500± Tn	3 ⁰⁰ / ₁₀₀	1500	00
19	Pumping and/or Dewatering	Lump Sum	3620 ⁰⁰ / ₁₀₀	3620	00
20	Access Road Construction	Lump Sum	2609 ⁰⁰ / ₁₀₀	2609	00
21	Seeding-Mulch-Fertilizer	2,000± SY	.84	1680	00
22	6"-8"-12"-15" Bulkheads	5± EA	125 ⁰⁰ / ₁₀₀	625	00
23	Clearing and Grubing	Lump Sum	1500 ⁰⁰ / ₁₀₀	1500	00
24	Pump Station Removal*	Lump Sum	835 ⁰⁰ / ₁₀₀	835	00
25	Restoration	Lump Sum	2000 ⁰⁰ / ₁₀₀	2000	00
	*See Special Provisions				

TOTAL CONSTRUCTION COST

97,937 10

IN WITNESS WHEREOF, the bidder(s) (a firm) by its Owner(s) named below, hereunto set their hand(s) and seal(s) this 23 day of October 1985.

Firm Name: T-G Excavating, Inc.

By: Thomas M. Stockamp, President

IN TESTIMONY WHEREOF, the bidder(s) (a corporation) has caused this proposal to be signed by its President and Secretary and affixed its corporate seal this 23 day of October, 1985.

T-G Excavating, Inc.
Name of Corporation

By: Thomas M. Stockamp
President

ATTEST:

Harold R. Zimmer, ASST. SEC.

NON-COLLUSION AFFIDAVIT

The Bidder, by its Officers and T-G Excavating, Inc.

agents or representatives present at the time of filing this bid, being duly sworn on their oaths, say that neither they nor any of them have in any way, directly or indirectly, entered into any arrangement or agreement with any other bidder, or with any public officer of such City of Fort Wayne, Indiana, whereby such affiant or affiants or either of them, has paid or is to pay to such other bidder or public officer any sum of money, or has given or is to give such bidder or public officer anything of value whatever or such affiant or affiants or either of them has not directly or indirectly, entered into any arrangement or agreement with any other bidder or bidders, which tends to or does lessen or destroy free competition in the letting of the contract sought for by the attached bids, that no inducement of any form or character other than that which appears upon the face of the bid will be suggested, offered, paid or delivered to any person whomsoever to influence the acceptance of the said bid or awarding of the contract, nor has this bidder any agreement or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds of the contract sought by this bid.

T-G Excavating, Inc.

By: Thomas M. Stockamp

Thomas M. Stockamp, President

Subscribed and sworn to before me by Thomas M. Stockamp
this 23 day of October, 1985.

My Commission Expires:

4/6/88

Harold A. Zimmer
Notary Public Harold R. Zimmer
Resident of Allen County

Subscribed and sworn to before me by _____
this _____ day of _____, 198____.

My Commission Expires:

Notary Public
Resident of _____ County

Subscribed and sworn to before me by _____
this _____ day of _____, 198____.

My Commission Expires:

Notary Public
Resident of _____ County

CERTIFICATE IN LIEU OF FINANCIAL STATEMENT

I, Thomas M. Stockamp, the President
Position of T-G Excavating, Inc.
Company

hereby certify:

1. That the Financial Statement of said company, dated the 28 day of February 1985, now on file in the office of the Board of Public Works & Safety is by reference incorporated herein and made a part hereof, is a true and correct statement and accurately reflects the financial condition of said company as of the date hereof:
2. That I am familiar with the books of said Company showing its (financial) condition and am authorized to make this certificate on its behalf.

Dated: 10/23/85

Thomas M. Stockamp
Signature Thomas M. Stockamp

President
Title

Subscribed and sworn to before me, a Notary Public, in and for said County and State this 23 day of October, 1985.

Harold R. Zimmer
Notary Public Harold R. Zimmer
Resident of Allen County

My Commission Expires:

4/6/88

Fidelity and Deposit Company

HOME OFFICE

OF MARYLAND

BALTIMORE, MD. 21203

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, T-G Excavating, Inc., 5544 Huguenard Road, Fort Wayne, Indiana 46818

....., as Principal, (hereinafter called the "Principal"), and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, of Baltimore, Maryland, a corporation duly organized under the laws of the State of Maryland, as Surety, (hereinafter called the "Surety"), are held and firmly bound unto Fort Wayne Board of Public Works & Safety, City-County Building, Fort Wayne, Indiana 46800

.....as Oblige, (hereinafter called the "Obligee"), in the sum of Five Percent(5%) of Contractors Maximum Bid Price Dollars (\$.....), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for St. Joe Road, Pump Station Elimination per plans and specifications.

NOW, THEREFORE, if the Oblige shall accept the bid of the Principal and the Principal shall enter into a contract with the Oblige in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Oblige may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 23rd day of October A.D. 19 85

Harold R. Gimm
Witness

T-G Excavating, Inc. (SEAL)

Thomas M. Starkamp, Pres.
Principal
Title

FIDELITY AND DEPOSIT COMPANY OF MARYLAND
Surety

Nancy A. Gump
Witness

By Virginia T. Axson (SEAL)
Virginia T. Axson (Attorney-in-Fact)

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages, and to affix the seal of the Company thereto."

does hereby nominate constitute and appoint Walter H. Lupke, Jr., Duane E. Lupke, Donald L. Coffey, Edward B. Rice, Walter E. Boose, Stephen E. Stewart, Barbara J. Haus and Virginia T. Axson, all of Fort Wayne, Indiana, EACH.....
its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons.
This power of attorney revokes that issued on behalf of Walter H. Lupke, Jr., etal, dated, August 2, 1983.

The said Assistant Secretary does hereby certify that the foregoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 22nd day of February, A.D. 1984.



ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

C W Robbins
Assistant Secretary

By

CMF
Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE

SS:

On this 22nd day of February, A.D. 1984, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed by Official Seal, at the City of Baltimore, the day and year first above written.



Notary Public Commission Expires July 1, 1986

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 23rd day of October, 1985.

LI428a-Cr-044-2987

Assistant Secretary

DEPARTMENT REQUESTING ORDINANCE Board of Public Works & Safety D-85-11-70

EFFECT OF PASSAGE Improved Sewer Conditions at above location.

EFFECT OF NON-PASSAGE

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) \$97,937.10

ASSIGNED TO COMMITTEE

BILL NO. S-85-11-70

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving

Contract for St. Joe Pump Station Elimination,

Res. 402-84, by and between the City of Fort Wayne,

Indiana and T-G Excavating, Inc., in connection with

the Board of Public Works and Safety.

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION)

YES

NO

Thomas C. Henry
THOMAS C. HENRY
CHAIRMAN

Janet G. Bradbury
JANET G. BRADBURY
VICE CHAIRWOMAN

Donald J. Schmidt
DONALD J. SCHMIDT

James S. Stier
JAMES S. STIER

Charles B. Redd
CHARLES B. REDD

CONCURRED IN 12-10-85

SANDRA E. KENNEDY
CITY CLERK